IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 555 (MS) OF 2006

M/S Diamond & Gem Development Corporation, Having Its Registered Office At 142, Atlanta,
Nariman Point, Mumbai. .....Petitioner.

Versus

1. State Of Uttaranchal, Through Agricultural Secretary, Uttaranchal Shasan, Dehradun.
2. Prescribed Authority, Regulated Area/Sub Divisional Magistrate, Haldwani, District Nainital.

.....Respondents.

Dated 15.05.2006

Hon'ble Rajesh Tandon, J.

Heard Sri Sudhir Kumar, Advocate for the petitioner and standing counsel for the respondents. Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondent no. 2 not to interfere illegally or arbitrarily in the construction work of the petitioner over the plot in the Gem Park, Haldwani, District Nainital. Petitioner has confined his prayer for the disposal of the application for sanctioning of the plan, which is lying with the authority under U.P. (Regulation of Buildings Operations) Act, 1958.

The grievance of the petitioner is that the application for sanctioning of the plan is pending since 2005 and the same has not yet been disposed of. He has also made a reminder on 25.08.2005 but the same has not yet been disposed of.

Accordingly, the respondent no. 2 is directed to dispose of the application for sanctioning of plan within a period of six weeks from the date of presentation of the certified copy of the order.

Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

15.05.2006

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